

EXHIBIT A

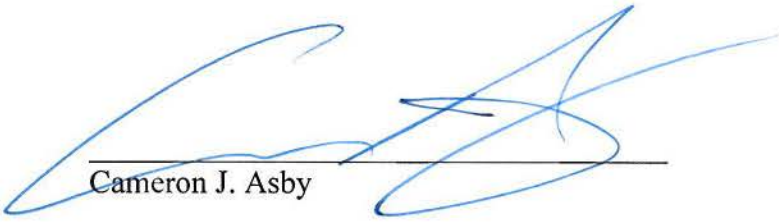
5. On August 9, 2019, ASD Kitchen, through counsel for its registered agent, Sam Darwish, waived service of the summons and complaint. A true and correct copy of the waiver of service (Doc. 37) is attached as Exhibit 1.

6. ASD Kitchen's responsive pleadings were due by October 8, 2019. ASD Kitchen did not file a responsive pleading or otherwise to defend the suit.

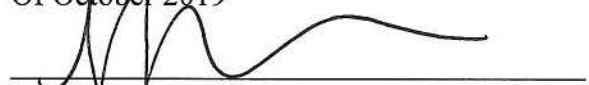
7. On October 10, 2019, a Clerk's Entry of Default was entered into the docket. A true and correct copy of the entry of default (Doc. 49) is attached as Exhibit 2.

8. ASD Kitchen is a corporation and therefore is not a minor nor an incompetent person.

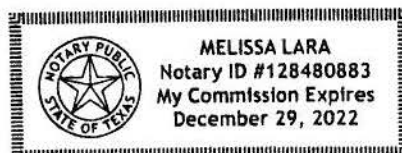
Further Affiant Sayeth Not.


Cameron J. Asby

Sworn to and subscribed before me
By Cameron J. Asby on this 20th day
Of October 2019



Notary Public



Notary Public in and for the State of Texas

My commission expires: 12/29/22 .

EXHIBIT 1

UNITED STATES DISTRICT COURT

for the
Eastern District of Texas

BANKUNITED N.A.,

Plaintiff

v.

ASD KITCHEN, INC., et al

Defendant

Civil Action No. 4:18-cv-804-ALM

WAIVER OF THE SERVICE OF SUMMONS

To: Cameron J. Asby

(Name of the plaintiff's attorney or unrepresented plaintiff)

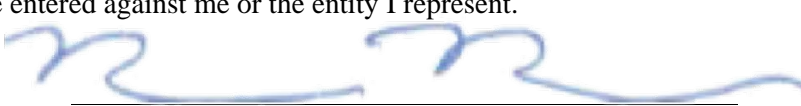
I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 8/9/2019, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 8/9/19


Signature of the attorney or unrepresented party

ASD KITCHEN, INC.

Printed name of party waiving service of summons

Noah Nadler, counsel for Sam Darwish

Printed name

3131 McKinney Ave., Ste. 100, Dallas, TX 75204

Address

noah.nadler@wickphillips.com

E-mail address

214-699-6200

Telephone number

Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

EXHIBIT 2

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

BankUnited, N.A.

v. Civil No. 4:18-cv-804
ASD Kitchen, Inc. et al

CLERK'S ENTRY OF DEFAULT

On this 10th day of October, 20 19, it appearing from the affidavit(s)
in support of default of Cameron Asby, attorney for plaintiff, that each of the
defendants named below has failed to plead or otherwise defend herein as provided by the Federal
Rules of Civil Procedure;

Now, therefore, the DEFAULT of each of the following named defendants is hereby entered:

ASD Kitchen, Inc.

DAVID A. O'Toole, CLERK

By: 
Deputy Clerk